

# **CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION**

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 1/7/14	NEED RESPONSE BY: ASAP Hearing is 1/22/14
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Mendocino County	
3. PHONE NO.:	7. SUBJECT: Drug Conviction	
4. REGULATION CITE(S): 63-402.229	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

We have a customer who was convicted of use and possession of a controlled substance in a military court. Is she eligible to CalFresh?

10. REQUESTOR'S PROPOSED ANSWER:

I say she is eligible because the regulation specifically says convicted in a state or federal court and she was not.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Documentation received from the County regarding this hearing states, "The maximum punishment should be compared to the classification of offense under state law or federal law, 18 U.S.C. S3559 to determine characterization of this offense." Based on the above citation and additional documentation received, the client was imprisoned for 10 months and therefore, the conviction is considered a Class A-Misdemeanor. CalFresh regulations (MPP 63-402.229) state that a person convicted of a drug felony is not eligible for CalFresh benefits. Since the client was convicted of a misdemeanor, the client is eligible for CalFresh benefits.

## **FOR CDSS USE**

DATE RECEIVED: 1/7/14	DATE RESPONDED TO COUNTY/ALJ: 1/16/2014 JN
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